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UNITED STATES PATENT AND TRADEMARK OFFICE

DATE: December 21, 2004

| | | |
|--------------------------------|---|---|
| TO: Examiner: Cocks, Josiah C. | : | RE: U.S. Patent Application |
| Art Unit: 3749 | : | Serial No.: 09/682,622 |
| Fax: (703) 872-9306 | : | Applicant: Daniel Canon |
| From: Thomas M. Fisher | : | Atty. Dkt. No.: 9D-RG-19584 (13307-149) |

DOCUMENTS SUBMITTED WITH TRANSMISSION:

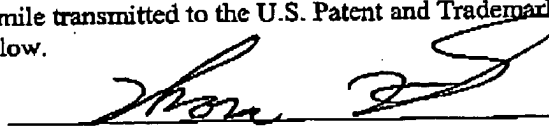
Certificate of Facsimile Transmission (1 pg.)
 RCE Transmittal (1 pg.)
 Amendment Transmittal (3 pgs.)
 Amendment in response to Final Office Action dated July 23, 2004 (13 pgs.)

Total pages including cover page: 18
 If all pages are not received, please contact: Lois Viera at Ext. 7938

RE: The above-referenced U.S. Patent Application
 Title: FLAME BURNER IGNITION SYSTEM
 Filed: September 28, 2001

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that these papers are being facsimile transmitted to the U.S. Patent and Trademark Office,
 Facsimile Number (703) 872-9306 on the date shown below.

Date: December 21, 2004

 Thomas M. Fisher
 Reg. No. 47,564

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PTO/SB/30 (09-04)

Approved for use through 07/31/2005. OMB 0851-0031
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Request
for
Continued Examination (RCE)
TransmittalAddress to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

| | |
|------------------------|--------------------|
| Application Number | 09/882,622 |
| Filing Date | September 28, 2001 |
| First Named Inventor | Daniel Canon |
| Art Unit | 3749 |
| Examiner Name | Cocks, Josiah C. |
| Attorney Docket Number | 9D-RG-19584 |

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/ Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. **Miscellaneous**


- Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a
- a. ☐ period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. **Fees**

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, or credit any overpayments, to
- a. ☒ Deposit Account No. 01-2384. I have enclosed a duplicate copy of this sheet.
- i. ☒ RCE fee required under 37 CFR 1.17(e) \$790.00
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17) \$450.00
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|---|------------------|-------------------|
| Signature |  | Date | December 21, 2004 |
| Name (Print/Type) | Thomas M. Fisher | Registration No. | 47,664 |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

| | | | |
|-------------------|-------|------|-------|
| Signature | _____ | Date | _____ |
| Name (Print/Type) | _____ | | |

This collection of information is required by 37 CFR 1.114. This information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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DEC 21 2004

9D-RG-19584
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Daniel Canon :
: Art Unit: 3749
Serial No.: 09/682,622 :
: Examiner: Cocks, Josiah C.
Filed: September 28, 2001 :
: :
For: FLAME BURNER IGNITION :
SYSTEM :

Mail Stop: RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

1. Transmitted herewith is:

Certificate of Facsimile Transmission (1 pg.)
RCE Transmittal (1 pg.)
Amendment in response to Final Office Action dated July 23, 2004 (13 pgs.)

STATUS

2. Applicant

Claims small entity status.
 X Is other than a small entity.

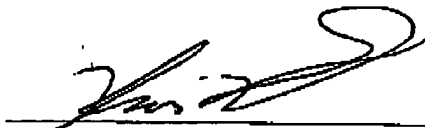
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with sufficient postage as "Express Mail Post Office to
Addressee" in an envelope addressed to: Commissioner
for Patents, Washington, D.C. 20231.

FACSIMILE
 X Transmitted by facsimile to the Patent and
Trademark Office at (703) 872-9306.

Date: December 21, 2004


Thomas M. Fisher
Reg. No. 47,564

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

(complete (a) or (b), as applicable)

- (a) X Applicant petitions for an extension of time under 37 C.F.R. 1.136
(Fees: 37 C.F.R. 1.17(a)-(d) for the total number of months checked below:)

| Extension for response within: | Other than small entity Fee | Small entity Fee (if applicable) |
|--------------------------------|-----------------------------|----------------------------------|
| <u> </u> First month | \$ 120.00 | \$ 60.00 |
| <u>X</u> Second month | \$ 450.00 | \$ 225.00 |
| <u> </u> Third month | \$ 1,020.00 | \$ 510.00 |
| <u> </u> Fourth month | \$ 1,590.00 | \$ 795.00 |
| <u> </u> Fifth month | \$ 2,160.00 | \$ 1,080.00 |
| | Fee: | <u>\$ 450.00</u> |

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

— An extension of _____ months has already been secured. The fee paid therefor \$_____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ 450.00

OR

- (b) — Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

| (Col. 1) | | (Col. 2) | | (Col. 3) | SMALL ENTITY | OR | OTHER THAN SMALL ENTITY |
|---|-------|---------------------------------|---|---------------|-------------------------|----|-------------------------|
| CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NO. PREVIOUSLY PAID FOR | | PRESENT EXTRA | ADDITIONAL RATE FEE | | ADDITIONAL RATE FEE |
| TOTAL INDEP. | MINUS | | = | | x \$25 = \$ | | x \$50 = \$ |
| | MINUS | | = | | x \$100 = \$ | | x \$200 = \$ |
| FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | | | | + \$180 = \$ | | + \$360 = \$ |
| | | | | | TOTAL ADDITIONAL FEE \$ | OR | TOTAL ADDITIONAL FEE \$ |

- (a) X No additional fee for claims is required.

OR

- (b) _____ Total additional fee for claims required \$

FEE PAYMENT


5. _____ Attached is a check in the sum of \$ _____
X Charge Deposit Account No. 01-2384 the sum of \$ 450.00
 A duplicate of this transmittal is attached.

FEE DEFICIENCY

6. X If any additional extension and/or fee is required, charge Deposit Account No. 01-2384.

AND/OR

- X If any additional fee for claims is required, charge Deposit Account No. 01-2384.
7. _____ Other:


 Thomas M. Fisher
 Reg. No. 47,564
 ARMSTRONG TEASDALE LLP
 One Metropolitan Square, Suite 2600
 St. Louis, MO 63102-2740
 (314) 621-5070